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TO: Commissioner for Patents

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FAX NO.: 703-872-9306

JUN 27 2005

DATE: June 24, 2005

MATTER: Serial No. 08

MATTER: Serial No. 09/989,775 FILED November 20, 2000

DOCKET NO.: A11/2001-0087

APPLICANT: MILLER

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

- Petition
 - Disclosure Statement & PTO-1449
 - Priority Document
 - Drawings (sheets) informal
 - Response After Final
 - Petition of Extension of Time

- Notice of Appeal Transmittal Form
 Fee Transmittal
 Deposit Account Transaction
 Facsimile Transmission Certificate
dated June 24, 2005
 Terminal Disclaimer

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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Linda DeNardi
Name of person signing this certificate

Linda DeMardi June 24, 2005
Signature and date

PTO/SB/31 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) ATT/2001-0067						
<p>I hereby certify that this correspondence is being transmitted by facsimile to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>June 24, 2005</u>. Facsimile No. <u>703-872-9306</u>.</p> <p><i>Linda DeNardi</i> Signature</p> <p>Typed or printed name <u>Linda DeNardi</u></p>		<p>In re Application of MILLER</p> <table border="1"> <tr> <td>Application Number 09/989,779</td> <td>Filed November 20, 2001</td> </tr> <tr> <td colspan="2">For PROTOCOL ASSISTED SWITCHED DIVERSITY OF ANTENNAS</td> </tr> <tr> <td>Art Unit 2686</td> <td>Examiner Bryan J. FOX</td> </tr> </table>	Application Number 09/989,779	Filed November 20, 2001	For PROTOCOL ASSISTED SWITCHED DIVERSITY OF ANTENNAS		Art Unit 2686	Examiner Bryan J. FOX
Application Number 09/989,779	Filed November 20, 2001							
For PROTOCOL ASSISTED SWITCHED DIVERSITY OF ANTENNAS								
Art Unit 2686	Examiner Bryan J. FOX							

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 600.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-0782. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

- applicant/inventor.
 assignee of record of the entire interest.
 See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
 (Form PTO/SB/86)
 attorney or agent of record.
 Registration number 39,400.
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Kin-Wah Tong
SignatureKin-Wah Tong
Typed or printed name(732) 530-8404

Telephone number

June 24, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.

- *Total of forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PAGE 2/5 * RCVD AT 6/24/2005 4:02:27 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:732 530 9808 * DURATION (mm:ss):01:58

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